Shipments of radioactive waste and spent fuel

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This is the first report from the Commission on the implementation of Council Directive 2006/117 /Euratom on the supervision and control of shipments of radioactive waste and spent fuels.

The so-called Shipments Directive required that the Member States had to bring into force before 25 December 2008 the laws, regulations and administrative provisions necessary to comply with the Directive. Although most Member States met this deadline, a few Member States did not transpose the Directive in time and the Commission opened infringement proceedings against them. Since the end of 2010, the transposition of Council Directive 2006/117/Euratom is completed and it can be considered as being implemented in all EU Member States.

The report's main conclusions are as follows:

Successful transposition: the Shipments Directive has been successfully transposed in all EU Member States. The general provisions under the Directive have been implemented through the adoption and publication of the relevant Commission Decision and Recommendations and the creation of the Advisory Committee.

Full implementation: having assessed the information provided by the Member States in their first reporting exercise, the Commission notes that the Directive is now being fully implemented so as to guarantee an adequate protection of the population. The Commission considers that the Directive provides a well-structured and operational framework for the supervision and control of shipments in all Member States, ensuring that transboundary shipments of radioactive waste and spent nuclear fuel take place only with the prior informed consent of the competent authorities of all the Member States involved.

No major implementation problems: the implementation of the Shipments Directive has not given rise to any major problems. The issue of NORM (naturally occurring radioactive material) waste and clearance levels in the context of the shipment of radioactive waste has been identified and will be further followed-up by the advisory committee established under the Directive. As regards the shipments of radioactive wastes and spent fuel, the Commission notes that the existing national provisions, notably those implementing the Directive laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation, allow the national competent authorities to monitor the movements of these shipments on their territory.

Authorisations: this report provides a first summary overview of authorisations given in the Community under the Shipment Directive. The number of authorisations of shipments is relatively small and there is a clear picture on exports outside the EU. Although the Commission's export criteria are only published as a Recommendation with no legally binding character, **the alignment of Member States' practices with all the criteria will remain an issu**e that will also be further addressed in close cooperation with the advisory committee.

Safe management: in implementing the **Framework Directive 2011/70 on the management of spent fuel and radioactive waste**, Member States are requested to take concrete decisions for the safe management of their radioactive waste and spent fuel. According to the Commission, this will also certainly have an impact on the shipments within, into and out of the EU. Future reporting will then provide information on the evolution of shipments of radioactive waste and spent fuel.

Lastly, no accidents leading to a release of radioactive substances to the environment and involving national or transboundary movements of radioactive waste or spent fuel were reported for the three years covered by this report.